

US Magistrate Judge Karen L. Strombom

Stacie Foster, WSBA #23397
YARMUTH WILSDON CALFO
The IDX Tower
925 Fourth Avenue, Suite 2500
Seattle, Washington 98104-1157
206-516-3800
206-516-3888
sfoster@yarmuth.com

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DIRECTV, INC., a California corporation,

Plaintiff,

v.

DAVID A. FOWLER,

Defendant.

No. 3:04-cv-05313 KLS
DIRECTV Litigation

PERMANENT INJUNCTION OF
DEFENDANT DAVID A. FOWLER

It is hereby requested that the following Permanent Injunction be entered by the Court without further notice or process:

1. Defendant David A. Fowler (the "Defendant"), and any persons or entities controlled directly or indirectly by him, are hereby permanently enjoined and restrained from:

(a) receiving or assisting others in receiving DIRECTV's satellite transmissions of television programming without authorization by and payment to DIRECTV;

(b) designing, manufacturing, assembling, modifying, importing, exporting, possessing, offering to the public, trafficking, distributing, selling, or using any devices or equipment (including, by way of example, loaders, bootloaders, unloopers,

1 emulators, programmers, reader/writers, or software or components therefor) designed or
2 intended to facilitate the reception and decryption of DIRECTV's satellite transmissions of
3 television programming by persons not authorized to receive such programming;

4 (c) advertising the sale of any devices or equipment (including, by way
5 of example, loaders, bootloaders, unloopers, emulators, programmers, reader/writers, or
6 software or components therefor) designed or intended to facilitate the reception and
7 decryption of DIRECTV's satellite transmissions of television programming by persons not
8 authorized to receive such programming, and advertising or providing information or
9 technical services in support thereof; or

10 (d) reverse engineering or attempting to reverse engineer any of
11 DIRECTV's products, services or technologies, including without limitation the encryption
12 and security controls for the DIRECTV satellite system.

13 2. This Permanent Injunction shall apply to the Defendant's activities
14 worldwide, and shall apply with the same force and effect to the DIRECTV Latin America
15 (also known as Galaxy Latin America) satellite system, and to any other direct broadcast
16 satellite system or related business in which DIRECTV has a financial or other interest,
17 now or in the future and, in particular, to any satellite interests owned by News Corp.,
18 NDS Americas, Inc. or related companies including Sky Latin America.

19 3. The Defendant, and any persons or entities controlled directly or indirectly
20 by him, are hereby permanently enjoined and restrained from:

21 (a) investing or holding any financial interest in any enterprise which the
22 Defendant knows is now, or planning in the future, to engage in any of the activities
23 prohibited by this Permanent Injunction; or

24 (b) knowingly allowing any persons or entities which he controls, either
25 directly or indirectly, to engage in any of the activities prohibited by this Permanent
26 Injunction.

5. The Court shall retain jurisdiction to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and/or enforce the provisions of this Permanent Injunction. The Defendant specifically consents to personal jurisdiction and venue in the United States District Court, for the Western District of Washington.

DATED this 1st day of November, 2005.

s/ Karen L. Strombom
Honorable Karen L. Strombom
United States Magistrate Judge

Dated this First day of November 2005.

Presented by:

YARMUTH WILSDON CALFO PLLC

By: /s/ Stacie Foster
Stacie Foster, WSBA #23397

Attorneys for Plaintiff DIRECTV, Inc.